

OGC 78-2750
27 April 1978

MEMORANDUM FOR :
Office of Legislative Counsel

Pro Leg

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FROM :
Office of General Counsel

100-431744-11

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SUBJECT : H.R. 7814

1. Subject bill has been referred to this Office for comment. Its purpose is to provide for experiments with non-standard workweeks, presumably in the expectation that these will prove advantageous to the government.

2. Strangely enough, there does not appear to be a provision in the bill for reporting the results of the experiments. If there were, objection on the part of this Agency could certainly be raised on the strength of 50 U.S.C. 403(g), which permits this Agency to withhold information pertaining to its organization, functions, official titles, salaries or numbers of personnel.

3. Section 4 of the bill on its face requires all agencies, including this Agency, to conduct the type of experiments provided for under Titles I and II of the bill. However, under Title I dealing with flexible scheduling of work hours, the head of an agency may restrict employees' choice of working hours if agency functions would otherwise be substantially disrupted or additional costs incurred. Under Title II of the bill, dealing with 4-day workweeks, provision is made for agencies to terminate any such experiment if it is determined to be not in the best interest of the public, government, or its employees. These provisions, in addition to the provision under which the Civil Service Commission may exempt an agency from the general requirements to conduct experiments, would appear to provide sufficient flexibility to permit the Agency to avoid being seriously inconvenienced.

4. It is presumed that the Office of Personnel has been advised of this proposed legislation. That office can most accurately gauge the potential impact of H.R. 7814 on the Agency.



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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

[REDACTED]

OGC

EXTENSION

7541

NO.

OLC #78-1762/1

DATE

27 April 1978

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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[REDACTED], OLC
6D15 HQS

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